

MARIA-COSTANZA BARDUCCI  
BARDUCCI LAW FIRM

5 WEST 19TH STREET, 10TH  
FLOOR NEW YORK, NEW YORK  
10011 TELEPHONE: 212-433-2554

**July 30, 2024**

**VIA ECF**

Honorable Lorna G. Schofield  
United States District Judge  
Southern District of New York  
40 Foley Square, Room 2102  
New York, NY 10007

*Re: Alexander Gomez v. 420-428 Amsterdam LLC et al*  
*Civil Action No: 1:24-cv-01878-LGS*  
*Joint Letter Pursuant to D.E.#7 (with Proposed Case Management Plan)*

Your Honorable Judge Schofield,

I represent the Plaintiff in the above-referenced matter.

The Court's Notice of Initial Pretrial Conference [DE#7] requires that the parties submit a Joint Letter, together with their Proposed Case Management Plan and Scheduling Order, at least 7 days prior to the Initial Pretrial Conference.

Pursuant to the Court's Order, the following information is provided by the parties:

**(1) *A brief statement of the nature of the action and the principal defenses thereto;***

This is an action for injunctive relief pursuant to the Americans with Disabilities Act 42 U.S.C. § 12181, et seq., and the ADA's Accessibility Guidelines, 28 C.F.R. Part 36. The Defendant **420-428 Amsterdam LLC and Steam Rice Roll Inc.** principal defense is that the subject premises is in compliance with the ADA and all applicable statutes, codes and regulations.

**(2) *A brief explanation of why jurisdiction and venue lie in this Court;***

This Court has original jurisdiction over the action pursuant to 28 U.S.C. §§ 1331 and 1343 for Plaintiff's claims arising under 42 U.S.C. § 12181, et seq., based upon Defendant's violations of Title III of the ADA (see also, 28 U.S.C. §§ 2201 and 2202).

**(3) *A brief description of all outstanding motions and/or all outstanding requests to file motions;***

There are no outstanding motions or outstanding requests to file any motions at this time.

***(4) A brief description of any discovery that has already taken plan, and that which will be necessary for the parties to engage in meaningful settlement negotiations;***

At this time the parties will attempt to engage in meaningful settlement discussions but may need a Rule 34 ADA Land Inspection to be scheduled with an expert or expert witness in order to further settlement discussions, with the possibility that additional discovery in the form of interrogatories to discovery names of witnesses and the existence of evidence, requests for admissions and production of documents, and depositions of witnesses.

***(5) A list of all prior settlement discussions, including the date, the parties involved, and the approximate duration of such discussions, if any;***

The parties have not yet held any settlement discussions.

***(6) The estimated length of trial; and***

2-3 Days

***(7) Any other information that the parties believe may assist this Court in resolving the action.***

None at this time.

Respectfully

Submitted,

**BARDUCCI LAW**

**FIRM**

s/Maria Costanza Barducci, Esq.

---

MARIA COSTANZA BARDUCCI,  
ESQ.

cc: Via CM/ECF Only